

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SCA-01 PPT-01 VO-03 L-03 SCS-03 DHA-02

EURE-00 INSE-00 /026 W

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P R 161550Z JAN 76

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC PRIORITY 1928

INFO AMEMBASSY BONN

USMISSION USBERLIN UNN

C O N F I D E N T I A L BERLIN 5081

DEPT FOR EUR/CE, SCA, PPT, AND VO

E O 11652: GDS

TAGS: PFOR, PBOR, PINT, CGEN, CVIS, CPAS, GE, GW, WB, US

SUBJ: "GERMANY" IN DIPLOMATIC PASSPORT

REF: A. BERLIN 5001, B. BERLIN 5028, C. STATE 005857

D. STATE 009267

1. SUMMARY. THE DEMARCHE AUTHORIZED BY THE DEPARTMENT IN THE RACHEL BISHOP CASE WAS PRESENTED TO THE MFA ON JANUARY 15. WE ASSESS THAT THE GDR MAY HAVE MISCALCULATED THE US REACTION TO THE BISHOP VISA PLOY AND MIGHT STILL BE INTERESTED IN AVOIDING A CONFRONTATION. THE EMBASSY PROPOSES AN "INFORMAL" APPROACH TO GEYER AT MFA OFFERING GDR A CHANCE TO BACK DOWN. END SUMMARY.

2. ON JANUARY 15, EMBOFF (WOLF) MET WITH CONSULAR DEPARTMENT MFA (SEIDEL AND RIECHEL) TO DISCUSS WHY THE US WILL NOT ACCEPT A DIPLOMATIC VISA ON AN "ANLAGE" FOR RACHEL BISHOP, USING THE POINTS SET FORTH IN REFS (A) AND (C). AFTER LISTENING TO THE DEMARCHE, MRS. SEIDEL SAID THAT SHE HAD TAKEN NOTE OF IT, WOULD PASS IT ON TO HER SUPERIORS, AND WOULD IN DUE COURSE RESPOND.

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3. SHE SAID THAT SHE REGRETTED THE US POSITION

WHICH "FURTHER SHARPENED" THE SITUATION WHEN THE CONSULAR DEPARTMENT HAD REPEATEDLY EMPHASIZED THAT IT DID NOT WISH TO DO THIS OR "WORSEN" COOPERATION WITH THE EMBASSY. SHE SAID THAT THE GDR WAS NOT REFUSING TO RECOGNIZE THE PASSPORT, AS DEMONSTRATED BY THE FACT THAT THE "ANLAGE" REFERRED TO THE PASSPORT BY NUMBER. THE CONSULAR DEPARTMENT HAD THOUGHT THAT IT WAS PROPOSING A MUTUALLY-SATISFACTORY SOLUTION AND REGRETTED THAT WE DID NOT THINK SO.

4. EMBOFF RESPONDED THAT WE LIKEWISE HAD NO INTENTION OR DESIRE TO SHARPEN RELATIONSHIPS OR TO LET THEM DETERIORATE. HOWEVER, OUR POSITION ON THIS MATTER WAS CLEAR, AND WE BELIEVED THAT WE SHOULD ARTICULATE IT PLAINLY. EMBOFF ALSO NOTED THAT WE UNDERSTOOD THE GDR RECOGNIZED (ANERKENNEN) THE BISHOP PASSPORT BUT THAT THE "ANLAGE" PROCEDURE REPRESENTED A REJECTION (ABLEHNUNG) OF THE PASSPORT AS A PROPER PLACE TO STAMP A DIPLOMATIC VISA. MRS. SEIDEL STATED THAT SHE HAD TAKEN NOTE OF THE DISTINCTION.

5. WHEN EMBOFF SAID THAT THIS MATTER HAD BEEN RAISED IN WASHINGTON WITH THE GDR EMBASSY (SEE REF (D)), MRS. SEIDEL SAID THAT SHE HAD NO INFORMATION ON THAT. SHE ADDED THAT SHE WAS SURPRISED THAT THIS HAD BEEN DONE AS, HERETOFORE, SUCH PROBLEMS HAD ALWAYS BEEN DEALT WITH IN BERLIN BETWEEN THE EMBASSY AND THE CONSULAR DEPARTMENT. DURING THE MEETING, MRS. SEIDEL HAD THE PASSPORT AND "ANLAGE" IN VIEW, BUT SHE DID NOT ATTEMPT TO RETURN THE PASSPORT.

6. WE BELIEVE THE GDR MAY HAVE INITIALLY MISCALCULATED THE U.S. REACTION TO THEIR EFFORT TO MAKE A POINT ON NATIONALITY AND MAY BE INTERESTED IN GETTING OUT OF THIS SELF-CREATED JAM IF AN ACCEPTABLE OPPORTUNITY PRESENTS ITSELF. ACCORDINGLY WE RECOMMEND THAT THE DCM SEEK AN "INFORMAL" MEETING WITH GEYER. THE DCM WOULD STATE THAT THE RACHEL BISHOP VISA MATTER HAS NOW DRAGGED ON TOO LONG, IS FOULING THE ATMOSPHERE, AND SHOULD BE RESOLVED QUICKLY. THE DCM WOULD SAY THAT WE CAN IMAGINE

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WHAT ISSUES THE GDR MAY HAVE IN MIND IN THE VISA MATTER, BUT THIS IS NOT THE WAY TO RESOLVE THEM. WE HAVE KEPT DISCUSSION OF THIS MATTER STRICTLY WITHIN BILATERAL CHANNELS; AND WE ARE PREPARED TO REGARD GDR ISSUANCE OF A VISA IN THE NORMAL FASHION AS PREJUDICING NO GDR POSITION, JUST AS WE VIEWED OUR PRESENTATION AND GDR VISAING OF SUCH PASSPORTS IN THE PAST AS HAVING NO IMPLICATIONS FOR OTHER ISSUES.

7. IF, FOLLOWING SUCH A PRESENTATION, THE GDR OPTS TO
CONTINUE TOWARD A CONFRONTATION, OTHER STEPS WOULD HAVE
TO BE DEVISED.

8. EMBASSY REQUESTS DEPARTMENT'S CONCURRENCE IN APPROACH
OUTLINED IN PARA. 6.COOPER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PASSPORTS, VISAS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BERLIN05081
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760017-0459
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760151/aaaabtfe.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 BERLIN 5001, 75 BERLIN 5028, 76 STATE 5857
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 26 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 APR 2004 by izenbei0>; APPROVED <20 AUG 2004 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: "GERMANY" IN DIPLOMATIC PASSPORT
TAGS: PFOR, PBOR, PINT, CGEN, CVIS, CPAS, GC, GE, WB, US, (BISHOP, RACHEL)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006